

DECLARATION AND POWER OF ATTORNEY

CONTINUATION-IN-PART APPLICATION

We, GUIDO GUGLIELMI, a citizen of Italy, and IVAN SEPETKA, a citizen of United States of America, declare that we verily believe that we are the original and first inventors of the IMPROVEMENTS IN AN ENDOVASCULAR ELECTROLYTICALLY DETACHABLE GUIDEWIRE TIP FOR THE FORMATION OF THROMBUS IN ARTERIES, VEINS, ANEURYSMS, VASCULAR MALFORMATIONS AND ARTERIOVENOUS FISTULAS, described and claimed in the continuation-in-part application attached hereto;

that this application in part discloses and claims subject matter disclosed in our earlier filed pending application, Serial No. 07/492,717 filed March 13, 1990;

that we hereby state that we have reviewed and understand the contents of the attached specification including the claims as amended;

that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a);

that we acknowledge our duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the filing date of the continuation-in-part application which discloses and claims subject matter in addition to that disclosed in the prior application;

that as to the subject matter of this application which is common to said earlier application, we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United

States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier application; and that no application for patent or inventors' certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America except as follows:

none

that, as to the subject matter of this application which is not common to said earlier application, we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventors' certificate issued in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent or inventors' certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America except as follows:

none

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

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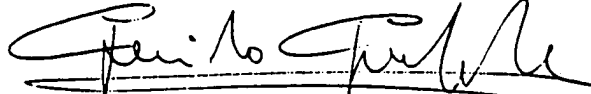
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Los Angeles, California 90009

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first or sole inventor: GUIDO GUGLIELMI

2-4-92  
Date

  
Signature of Inventor

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Post Office Address: 513 Wilshire Boulevard, Apartment 218  
Santa Monica, California 90401

Full name of second inventor: IVAN SEPETKA

2/10/92  
Date

  
Signature of Inventor

Residence: Redwood City, California  
Post Office Address: 1148 17th Street  
Redwood City, California 94063

Applicant or Inventor: GUGLIELMI, G., et al.Docket No. M203a-D

Serial or Patent No. \_\_\_\_\_

Filed or Issued \_\_\_\_\_

For: IMPROVEMENTS IN AN ENDOVASCULAR ELECTROLYTICALLY DETACHABLE GUIDEWIRE TIP FOR THE FORMATION OF THROMBUS IN ARTERIES, VEINS, ANEURYSMS, VASCULAR MALFORMATION AND ARTERIOVENOUS FISTULAS  
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.9(f) and 1.27(d)] - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The Regents of the University of CaliforniaADDRESS OF ORGANIZATION: 300 Lakeside Drive, 22nd Floor  
Oakland, CA 94612-3550

## TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC 501(a) and 501(c) (3)]  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OR THE UNITED STATES OF AMERICA  
     (NAME OF STATE \_\_\_\_\_)  
     (CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC 501(a) and 501(c) (3)] IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
     (NAME OF STATE \_\_\_\_\_)  
     (CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled IMPROVEMENTS IN AN ENDOVASCULAR ELECTROLYTICALLY DETACHABLE GUIDEWIRE TIP FOR THE FORMATION OF THROMBUS IN ARTERIES, VEINS, ANEURYSMS, VASCULAR MALFORMATION AND ARTERIOVENOUS FISTULAS by inventor(s) VENOUS FISTULAS by inventors Guido Guglielmi and Ivan Sepetka

- \_\_\_\_\_ described in  
☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).  
 \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME TARGET THERAPEUTICSADDRESS 130 Via Robles, San Jose, California 95134

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Valentin FikovskyTITLE IN ORGANIZATION Manager, Engineering Licensing, Office of Technology TransferADDRESS OF PERSON SIGNING 300 Lakeside Drive, 22nd Floor  
Oakland, California 94612-3550SIGNATURE Valentin FikovskyDATE January 29, 1992

Express Mail  
RB612524198US

FB86/4363445

EM 601094898US

Applicant's Patent No.: GUGLIELMI, G. et al. Attorney's  
Serial of Patent No.: \_\_\_\_\_ Docket No.: 11203a-D  
Filed on: \_\_\_\_\_  
For: IMPROVEMENTS IN AN ENDOVASCULAR ELECTROLYTICALLY DETACHABLE WIRE  
AND TIP FOR THE FORMATION OF THROMBUS IN ARTERIES, VEINS, ANEURYSMS,  
VASCULAR MALFORMATIONS AND ARTERIOVENOUS FISTULAS  
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN TARGET THERAPEUTICS  
ADDRESS OF CONCERN 130 Via Robles  
San Jose, California 95134

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled IMPROVEMENTS IN AN ENDOVASCULAR ELECTROLYTICALLY DETACHABLE WIRE AND TIP ... by inventor(s) Guido Guglielmi and Ivan Segetka described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
ADDRESS 300 Lakeside Drive, 22nd Floor, Oakland, CA 94612-3550  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Eric Engelson  
TITLE OF PERSON OTHER THAN OWNER Vice-President, Target Therapeutics  
ADDRESS OF PERSON SIGNING 130 Via Robles  
San Jose, CA 95134  
SIGNATURE [Signature] DATE 2/2/92